

IN THE MATTER OF:

51 Madison Avenue  
New York, NY 10010

By the signature of one of its officers or authorized representatives upon this consent order, this insurer acknowledges that it understands that this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2001).

Nothing contained within this administrative disciplinary order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (Supp. 2001), of the Director of Insurance, exercised either directly or through the Department, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that New York Life Insurance and Annuity Corporation shall, within ten days of my date and my signature upon this consent order, pay to the Department an administrative penalty in the total amount of \$1,000.

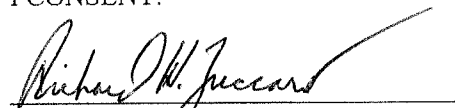
It is further ordered that a copy of this consent order shall be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states.

This consent order becomes effective on the date of my signature below.

  
Gwendolyn Fuller McGriff  
Deputy Director

Oct 18, 2004  
Columbia, South Carolina

I CONSENT:

  
Signature of Authorized Representative

Richard W. Zuccaro  
Name

Vice President  
Title

New York Life Insurance and Annuity Corporation  
51 Madison Avenue  
New York, NY 10010

Dated this 12<sup>th</sup> day of October, 2004